

Serial No.: 10/728,454
Examiner: Lisa Hashem

REMARKS/ARGUMENTS

Claims 1-10, 12-23, 26-31 and 37 remain in this application with claims, with claims 1 and 20 being independent claims. Claims 11, 24, 25 and 32-36 have been canceled. Claims 1, 3, 5, 13, 14, 20, 21, 26, 27, 29 and 30 have been amended.

Regarding the 37 CFR 1.126 objections:

In the office action, claims 1-37 were object to for certain informalities. In particular the following acronyms were not defined properly in the claims: "IP"; "VLAN"; "IP PBX"; "MAC"; and "GARP". Applicants have amended the claims, and respectfully set forth that the claims as now presented overcome these objections and request that these objection be withdrawn.

Regarding the 35 USC 112 rejection:

In the office action, claims 13 and 30 were rejected under 35 USC section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claims 13 and 30 to clarify the subject matter. Applicants respectfully assert that claims 13 and 30 now presented overcome this rejection and request that this rejection be withdrawn.

In the office action, claim 11 was rejected under 35 USC section 112 for insufficient antecedent basis for the limitation "the physical locality". Applicants have canceled claim 11 and therefore request that this rejection be withdrawn.

Regarding the 35 USC 102 rejection:

In the office action, independent claims 1 and 20 were rejected under 35 USC 102(e) as being anticipated by Pearce et al. (US Patent No. 6,804,254). Applicants respectfully assert that claims 1 and 20 as now presented are not anticipated by Pearce. Applicants have amended claim 1 to include the limitation "each of the one or more devices having a physical locality, wherein the system attribute including connectivity information associated with the physical locality of

Serial No.: 10/728,454
Examiner: Lisa Hashem

the one or more devices” and have amended claim 20 to include the limitation “the port number at which the Voice-over-IP device is communicated to a relational database that associates the physical location of the port with the Internet Protocol (IP) address and extension number of the Voice-over-IP device, whereby the location of a Voice-over-IP device user can be quickly ascertained by emergency response personnel.” The Examiner points to Pearce (col. 4, lines 11-19; col. 7 lines 18-54) as asserts that “Pearce discloses the system attribute comprises connectivity information associated the physical locality of the one or more devices”. Applicants respectfully traverses this assertion. In the passage set forth by the Examiner, Pearce is discussing the logical address of the IP device, not the actual physical geographical location of the IP device. In fact, no where in Pearce or any of the cited references is this discussed, disclosed or taught. As such, Applicants assert that each and every element of the present invention as set forth in claims 1 and 20 is not anticipated, disclosed, taught or rendered obvious by Pearce or any of the cited reference, whether taken alone or in any reasonable combination, and respectfully request that these rejections be withdrawn.

Regarding claims 2-10, 12-19, and 27-30, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1, Applicants respectfully assert that these claims are also patentable over the cited reference.

Regarding claims 21-23, 26, 31 and 37, as these claims depend either directly or indirectly from independent claim 20, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 20, Applicants respectfully assert that these claims are also patentable over the cited reference.

In the office action, independent claim 32 was rejected under 35 USC 103(a) as being unpatentable over Acharya (US Patent No. 6,781,989). Applicants have canceled claims 32-36 rendering the rejection moot.

Serial No.: 10/728,454
Examiner: Lisa Hashem

Regarding the Double Patent Rejection:

In the present office action claims 1-37 were provisionally rejected on the ground of nonstatutory obviousness-type double patent as being unpatentable over claims 1-7 of copending Application No. 10/495,171 by Bastide. Applicants have submitted herewith a terminal disclaimer, and therefore request that this rejection be withdrawn.

It is believed that the foregoing places the Application in condition for allowance; therefore, Applicants respectfully request withdrawal of the Examiner's rejection of the claims as set forth in the Office Action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

Respectfully submitted,

By: 
Raymond M. Galasso, Reg. No. 37,832

Correspondence Address:

Alcatel Lucent
c/o Galasso & Associates, LP
P.O. Box 26503
Austin, TX 78755-0503
(512) 306-8533 telephone